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IN ALEXANDRIA, LA.

NOV 21 2013

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA

TONY R. MOORE, CLERK  
*[Signature]*  
DEPUTY

LAKE CHARLES DIVISION

THOMAS EUGENE SHOEMAKE, JR.,  
Appellant

CIVIL ACTION  
NO. 2:12-CV-02743

VERSUS

COMMISSIONER OF SOCIAL SECURITY,  
Appellee

JUDGE JAMES T. TRIMBLE  
MAGISTRATE JUDGE JAMES D. KIRK

J U D G M E N T

For the reasons contained in the Report and Recommendation of the Magistrate Judge previously filed herein, noting the absence of objections thereto, and concurring with the Magistrate Judge's findings under the applicable law;

IT IS ORDERED that Shoemake's appeal is GRANTED, the final decision of the Commissioner is VACATED, and the case is REMANDED to the Commissioner for a determination of Shoemake's correct residual functional capacity both before and after his most recent shoulder and hip operations, and to determine whether there are any jobs which Shoemake can perform given his true impairments.

THUS ORDERED AND SIGNED in Chambers at Alexandria,  
Louisiana, on this 21<sup>st</sup> day of November 2013.

*James Trimble*  
JAMES T. TRIMBLE, JR.  
UNITED STATES DISTRICT JUDGE